



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd floor
New York, New York 10007*

November 16, 2020

BY ECF

The Honorable Mary Kay Vyskocil
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *Pfizer Inc. v. United States Department of Health and Human
Services, et al.*, No. 20 Civ. 4920 (MKV)

Dear Judge Vyskocil:

This Office represents the defendants (the “Government”) in the above-referenced action. We write to note that, contemporaneous with the filing of the Government’s Opposition to Pfizer’s Motion for Summary Judgment and Motion to Dismiss the Complaint or for Summary Judgment, the Government is filing the Administrative Record in this matter. In correspondence dated October 2, 2020, Pfizer’s counsel noted that the Government had served Pfizer with the certified Administrative Record, and that Pfizer was reviewing the contents of the record to determine whether it contained information that would require redactions. *See* ECF No. 32. Pfizer’s counsel subsequently informed the undersigned that Pfizer did not intend to make a motion to redact any information from the Administrative Record. Therefore, the Government files herewith the Administrative Record relating to the agency actions challenged in this lawsuit.

Thank you for your consideration of this matter.

Respectfully submitted,

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General

MICHELLE R. BENNETT
Assistant Branch Director

JUSTIN M. SANDBERG
Senior Trial Counsel
R. CHARLIE MERRITT
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
Tel.: (202) 514-5838/(202) 616-8098
justin.sandberg@usdoj.gov
robert.c.merritt@usdoj.gov

AUDREY STRAUSS
Acting United States Attorney for
the Southern District of New York

By: /s/ Rebecca S. Tinio
REBECCA S. TINIO
JACOB M. BERGMAN
JACOB T. LILLYWHITE
Assistant United States Attorneys
86 Chambers Street, 3rd Floor
New York, NY 10007
Tel.: (212) 637-2774/2776/2639
Fax: (212) 637-2686
rebecca.tinio@usdoj.gov
jacob.bergman@usdoj.gov
jacob.lillywhite@usdoj.gov

cc (via ECF):

Douglas Hallward-Driemeier
Ilana H. Eisenstein
ROPES & GRAY LLP
Attorneys for Plaintiff